

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

APPVION, INC. and
NCR CORPORATION,

Plaintiffs,

v.

Case No. 08-C-16

GEORGE A. WHITING PAPER COMPANY,
P.H. GLATFELTER COMPANY and
MENASHA CORPORATION,

Defendants .

ORDER

Georgia-Pacific entities have filed a motion to compel NCR Corp. to produce certain unredacted insurance settlement agreements, arguing that they are relevant because insurance proceeds can be used as setoffs. NCR agrees with the general principle (and has largely complied with Georgia-Pacific's discovery requests), but states that it has been unable to obtain the consent of some of the insurance companies; a court order would be required before it could produce the settlement agreements. Moreover, NCR notes that some of the carriers wish to redact their identifying information, because knowledge about settlements agreed to by specific insurers could impact their ongoing negotiations with other parties.

The three settlement agreements which require a court order will be ordered produced. They are indisputably relevant, and confidence may be maintained under the operative protective order. Redactions of information suggestive of a carrier's identity will be allowed as well. Of primary importance is the amounts received, not the identity of various insurers. This has been recognized in this case before, with parties going to great pains to preserve the anonymity of various insurers.

Accordingly, the motion to compel is **GRANTED** in part. NCR must provide relevant settlement agreements responsive to the discovery requests, but it may redact information that could reveal the identity of the insurers in question.

SO ORDERED this 14th day of July, 2015.

/s William C. Griesbach
William C. Griesbach, Chief Judge
United States District Court